

Case No. MJ 14-00030 JPD
AFFIDAVIT OF PROBABLE CAUSE

TO: Chief Judge, duly credentialed
U.S. District Court
700 Stewart St.
Seattle 98101
Washington State, USA

FROM: Paul Andrew Fletcher B.A. M.S.
FDC SeaTac Reg. No. 44202-086, Unit "EA"

SUBJECT: Facts invoking application now
of Johnson v. Zerbst; 44 U.S.C.3512

Greetings Your Honor:

In the matter of Case No. MJ-14-00030 (JP),
please accept this AFFIDAVIT documenting
specific acts calling for application of
the decision of the U.S. Supreme Court in
Johnson v. Zerbst, to wit:

- (1) Assistant Federal Public Defender
Francis Terney refused to perform one (1)
simple task requested by a Defendant, and
Defendant promptly terminated her
assistance of Counsel; see Sixth Amendment;
Defendant and a U.S. Marshal did the task on 6/14/2013;
- (2) Cruel and unusual punishment in
FDC SeaTac's Special Housing Unit ("SHU")
deprived Defendant of access to Law
Library; "Inmates housed in the Special
Housing Unit cannot go to the Law Library."
[sic] [emphasis added]

See "FOC SEATAC INMATE ADMISSION AND ORIENTATION HANDBOOK," Dec. 9, 2013, Page 9, under "Legal Assistance."

(3) Defendant declined to sign an Intake Form because it lacked an OMB control number at the upper right-hand corner. BOP's intake Colleague specifically cited Defendant's annotation re: "OMB No." as justification for placing him in the SPU instead of the general population.

As such, BOP staff violated the PRA's Public Protection Clause at 44 U.S.C. 3512 i.e. absolute bar to any further judicial or administrative proceedings; here also see 5 USC 3331;

and, 5 U.S.C. 2903, 2906 in pari materia;

(4) Defendant drafted hand-written Petition for Habeas Corpus Relief, but Assistant FPD has done nothing to date. She has not prepared that Petition for filing and service, nor as a draft for Defendant's preliminary review and edits & additions. Assistant FPD merely forwards "process" issued by the Court.

Defendant mailed a request for additional FPD services on 2/6/2014. FPD does not appear to have adequate procedures or policies to provide effective assistance of Counsel to litigants proceeding In forma Pauperis and/or In Propria Persona. FPD was also asked to contact Defendant's

VERIFICATION: 28 U.S.C. 1746

I, Paul Andrew Mitchell, B.A., M.S.,
hereby verify under penalty of perjury,
under the Laws of the United States of
America, without (outside) the United
States (federal government) that the below
& the above statement of facts and laws
is true and correct according to the
best of my current information, knowledge
and belief, so help me God.

Dated: 2/6/2014

Signed: Paul Andrew Mitchell, Sui Juris

Printed: Paul Andrew Mitchell, B.A., M.S.
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P.S.

Incorporated by reference, as if set
forth fully here: the entire case file
currently in custody of Federal Public
Defender, Seattle, Washington State
USA. See FREV 201(c)(2): mandatory
judicial notice (NOT discretionary).

CONCLUSION

As a consequence of several acts, including
but not limited to those described above,
the U.S. District Court at Seattle appears to have
ousted itself of jurisdiction and is banned from
any further judicial proceedings. So be it!

Landlord to learn the status of the contents of Defendant's apartment, but FPD has not replied at all to that specific request.

(5) Defendant also has a utility patent pending for a computer storage device at the U.S. Patent and Trademark Office. Defendant's Personal Computers were hand-built by him, and they are used to test variations and permutations — by way of performing basic research, and saving redundant copies of his patent research database. The loss of any of those custom PCs is too damaging and catastrophic, to contemplate, not to mention the threat of losing that apartment and everything else in it. Defendant has lived there since June 18, 2009.

REMEDY

(6) Defendant therefore sincerely believes that the facts itemized above do fully justify an ORDER to the Office of the U.S. Attorney to show cause why said facts do not violate the Sixth Amendment, and also the Eighth Amendment prohibiting cruel and unusual punishment, and also the PRA's Public Protection clause: 44 USC 3512.
(see next page)

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RENTON BARK HUGHES, PARALEGAL

(see Johnson v. Zerbst,
P. Neuer v. Wilkinson,
Zemor v. Dwyer)